IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

Bail Appl..No. 5977 of 2007(K)

CRIME NO.213/07 OF MANIMALA POLICE STATION
CMP.2861/2007 of J.M.F.C.-II, KANJIRAPPALLY

.....

PETITIONER/ACCUSED

KURIAKOSE, S/O.KUNJACHAN, VECHOOR HOUSE,
CHERUVALLY KARA, CHERUVALLY, KANJIRAPPALLY.

BY ADV. SRI.DILIP MOHAN

RESPONDENTS: COMPLAINANT/STATE

---

1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

2. STATION HOUSE OFFICER,
MANIMALA POLICE STATION.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

- -

B.A.No. 5977 of 2007

- -

Dated this the 3rd day of October, 2007

O R D E R

Application for regular bail. The petitioner was allegedly found to be in possession of 5.450 litres of I.M.F.L. on 21.9.2007. He was arrested and he continues in custody from that date. The learned Prosecutor submits that the petitioner was involved in another crime also registered under the Kerala Abkari Act. The learned counsel submits that the petitioner had already secured an acquittal in that case.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 12.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

tm